

ANNEXATION ORDINANCE NO. X-

01-94

AN ORDINANCE annexing certain territory commonly known as the Fall Creek Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of Section 33, T31N, R12E, 2nd P.M., Washington Civil Township, Allen County, Indiana, and part of Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 92.4 acres, more or less, and more particularly described as follows:

Beginning on the west line of the NW 1/4 of Section 4, T30N, R12E, 2nd P.M., Allen County, Indiana extended northerly to its intersection with the northerly right of way line of the Bass Road and also being on the boundary of the F.O.P Club Annexation Area (Ordinance No. X-09-68); thence easterly along the northerly right of way line of the Bass Road and also being a portion of the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68), a portion of the Stanley Adams Farm Annexation Area (Ordinance No. X-2) and a portion of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the westerly right of way of Lindenwood Avenue (formerly Wilson Avenue in the plat of Commissioner's Subdivision of Ewing's Outlot 2, Deed Record 31, page 407, Office of the Allen County Recorder) extended northerly; thence southerly along the westerly right of way line of said Lindenwood Avenue extended northerly, the westerly right of way line of Lindenwood Avenue, said line also being the easterly line of Lot 2, Lot 3 and a portion of Lot 6 in Commissioner's Subdivision of Ewing's Outlot 2 and also being on a portion of the boundary of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the northerly right of way line of the Norfolk and Western Railroad (formerly the New York, Chicago and St. Louis Railroad); thence westerly along the northerly right of way line of the Norfolk and Western Railroad to its intersection with the westerly line of the Secondary Plat of Fall Creek, Section II (Plat Cabinet B, page 81, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section II to the southwest corner of Lot 23 in the Secondary Plat of Fall Creek, Section I (Plat Cabinet B, page 42, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section I and also being the west line of the NW 1/4 of section 4, T30N, R12E, 2nd P.M., Allen County, Indiana, to the place of beginning.

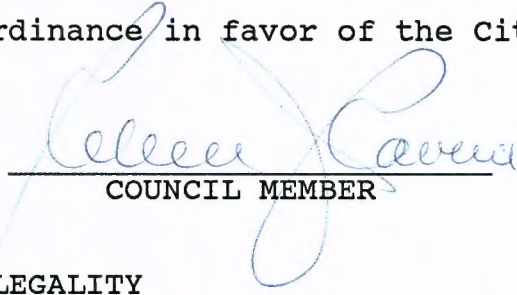
SECTION 2. That the City of Fort Wayne will
1 furnish the above described territory within a period
2 of one (1) year from the effective date of annexation,
3 planned services of a non-capital nature, including
4 police protection, fire protection, and street and road
5 maintenance, in a manner which is equivalent in
6 standard and scope to those non-capital services
7 provided to areas within the City of Fort Wayne which
8 have similar topography, patterns of land utilization
9 and population density to the said described territory.
10 The City of Fort Wayne will also provide services of a
11 capital improvement nature, including street
12 construction, street lighting, sewer facilities, water
13 facilities and stormwater drainage facilities to the
14 annexed territory within three (3) years of the
15 effective date of annexation, in the same manner as
16 such services are provided to areas already in the City
17 of Fort Wayne with similar topography, patterns of land
18 utilization and population density, and in a manner
19 consistent with federal, state and local laws,
20 procedures and planning criteria.

SECTION 3. That governmental and proprietary
21 services will be provided to the above described
22 territory in a manner consistent with the written
23 Fiscal Plan for the territory developed by the Division
24 of Community and Economic Development. Said Plan was
25 examined by the Common Council of the City of Fort
26 Wayne and is approved and adopted by the Common Council
27 by and upon the passage of this Ordinance. Two copies
28 of said plan are on file in the office of the Clerk of
29 the City of Fort Wayne and are available for inspection
30 as required by law.
31

SECTION 4. That said described territory shall be
32 temporarily assigned to Councilmanic Political Ward No.
4 of the City of Fort Wayne, Indiana, as described in

1 Division I, Section 2-9 of Chapter 2 of the Municipal
2 Code of the City of Fort Wayne, Indiana of 1974, as
3 amended. This assignment is subject to redistricting
4 pursuant to I. C. 36-4-6-3 (g).

5 SECTION 5. That, after adoption and any and all
6 necessary approval by the Mayor, this Ordinance shall
7 be published as provided for in I. C. 36-4-3-7. The
8 above mentioned territory shall become part of the City
9 of Fort Wayne on December 31, 1994. In the event of
10 litigation challenging the ordinance, the territory
11 shall become part of the City on the earlier of either
12 December 31, 1994, or the first 28th day of February
13 following any final judicial decisions resolving any
14 legal challenge to the ordinance in favor of the City.

15 
16 COUNCIL MEMBER

17 APPROVED AS TO FORM AND LEGALITY

18
19 
20 J. TIMOTHY McCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Parne, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 2-8-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parne, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>LUNSEY</u>	<u>✓</u>			
<u>RAVINE</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 3-8-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. X-01-94
on the 8th day of March, 1994

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 8th day of March, 1994, at the hour of 11:30 o'clock A, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of March, 1994, at the hour of 8:00 o'clock P M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



MEMORANDUM

TO: City Council Members
FROM: Gary Stair, Director of Planning
RE: Fall Creek Annexation
DATE: February 2, 1994

X 94-02-08

The Fall Creek Annexation Area is located west of the City of Fort Wayne along Bass Road. The area is approximately 94 acres in size, is zoned for single family residential development, and contains 63 residential structures. The assessed value is approximately \$1,960,000. It is estimated that this area will generate a net revenue of \$117,000 during the first five years after its incorporation into the City.

The Fall Creek Annexation Area is over 40% contiguous to the Fort Wayne city limits. In addition, a majority of the property owners in the area have signed contracts for city sewer service and have waived their right to remonstrate against annexation.

This annexation will be presented to the Plan Commission at its Public Hearing on February 21. The proposed effective date for this annexation is December 31, 1994.

Please feel free to contact Andrew Dobson at 427-1140 should you have any questions or concerns about this annexation.

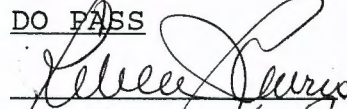
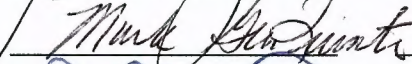
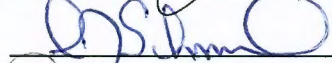
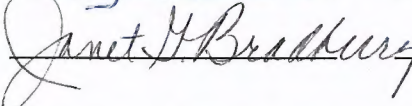
BILL NO. X-94-02-08

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain territory
commonly known as the Fall Creek Annexation Area to Fort Wayne and
including the same in Councilmanic District No. 4

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
			
			
			
			

DATED: 3-8-94.

Sandra E. Kennedy
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE ANNEXATION ORDINANCE

DEPARTMENT REQUESTING ORDINANCE COMMUNITY & ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE APPROVES FALL CREEK ANNEXATION EFFECTIVE
DECEMBER 31, 1994. REAL ESTATE IS CONTIGUOUS TO THE CITY AND MEETS
APPROPRIATE STATE LAW REQUIREMENTS.

EFFECT OF PASSAGE ANNEXATION APPROVED.

EFFECT OF NON-PASSAGE ANNEXATION DELAYED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

FISCAL PLAN TO BE AVAILABLE PRIOR TO PASSAGE.

ASSIGNED TO COMMITTEE (PRESIDENT) _____

Re: *Fall Creek Annexation*

Dear

Per I.C. 36-4-3-22, please find attached a copy of the above noted annexation which was approved by the City Council March 8, 1994. The annexation was duly published March 16 and March 23, 1994.

PLEASE NOTE THAT THIS ANNEXATION DOES NOT BECOME EFFECTIVE UNTIL DECEMBER 31, 1994.

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

Sincerely yours,

Sandra E. Kennedy
City Clerk

Encl.

94-26139

Bill No. X-94-02-08

ANNEXATION ORDINANCE NO. X-

01-94

AN ORDINANCE annexing certain territory commonly known as the Fall Creek Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

Allen County Recorder

94 APR 29 PM 2:55

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of Section 33, T31N, R12E, 2nd P.M., Washington Civil Township, Allen County, Indiana, and part of Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 92.4 acres, more or less, and more particularly described as follows:

Beginning on the west line of the NW 1/4 of Section 4, T30N, R12E, 2nd P.M., Allen County, Indiana extended northerly to its intersection with the northerly right of way line of the Bass Road and also being on the boundary of the F.O.P Club Annexation Area (Ordinance No. X-09-68); thence easterly along the northerly right of way line of the Bass Road and also being a portion of the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68), a portion of the Stanley Adams Farm Annexation Area (Ordinance No. X-2) and a portion of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the westerly right of way of Lindenwood Avenue (formerly Wilson Avenue in the plat of Commissioner's Subdivision of Ewing's Outlot 2, Deed Record 31, page 407, Office of the Allen County Recorder) extended northerly; thence southerly along the westerly right of way line of said Lindenwood Avenue extended northerly, the westerly right of way line of Lindenwood Avenue, said line also being the easterly line of Lot 2, Lot 3 and a portion of Lot 6 in Commissioner's Subdivision of Ewing's Outlot 2 and also being on a portion of the boundary of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the northerly right of way line of the Norfolk and Western Railroad (formerly the New York, Chicago and St. Louis Railroad); thence westerly along the northerly right of way line of the Norfolk and Western Railroad to its intersection with the westerly line of the Secondary Plat of Fall Creek, Section II (Plat Cabinet B, page 81, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section II to the southwest corner of Lot 23 in the Secondary Plat of Fall Creek, Section I (Plat Cabinet B, page 42, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section I and also being the west line of the NW 1/4 of section 4, T30N, R12E, 2nd P.M., Allen County, Indiana, to the place of beginning.

SECTION 2. That the City of Fort Wayne will
1 furnish the above described territory within a period
2 of one (1) year from the effective date of annexation,
3 planned services of a non-capital nature, including
4 police protection, fire protection, and street and road
5 maintenance, in a manner which is equivalent in
6 standard and scope to those non-capital services
7 provided to areas within the City of Fort Wayne which
8 have similar topography, patterns of land utilization
9 and population density to the said described territory.
10 The City of Fort Wayne will also provide services of a
11 capital improvement nature, including street
12 construction, street lighting, sewer facilities, water
13 facilities and stormwater drainage facilities to the
14 annexed territory within three (3) years of the
15 effective date of annexation, in the same manner as
16 such services are provided to areas already in the City
17 of Fort Wayne with similar topography, patterns of land
18 utilization and population density, and in a manner
19 consistent with federal, state and local laws,
20 procedures and planning criteria.

SECTION 3. That governmental and proprietary
21 services will be provided to the above described
22 territory in a manner consistent with the written
23 Fiscal Plan for the territory developed by the Division
24 of Community and Economic Development. Said Plan was
25 examined by the Common Council of the City of Fort
26 Wayne and is approved and adopted by the Common Council
27 by and upon the passage of this Ordinance. Two copies
28 of said plan are on file in the office of the Clerk of
29 the City of Fort Wayne and are available for inspection
30 as required by law.
31

SECTION 4. That said described territory shall be
32 temporarily assigned to Councilmanic Political Ward No.
4 of the City of Fort Wayne, Indiana, as described in

1 Division I, Section 2-9 of Chapter 2 of the Municipal
2 Code of the City of Fort Wayne, Indiana of 1974, as
3 amended. This assignment is subject to redistricting
4 pursuant to I. C. 36-4-6-3 (g).

5 SECTION 5. That, after adoption and any and all
6 necessary approval by the Mayor, this Ordinance shall
7 be published as provided for in I. C. 36-4-3-7. The
8 above mentioned territory shall become part of the City
9 of Fort Wayne on December 31, 1994. In the event of
10 litigation challenging the ordinance, the territory
11 shall become part of the City on the earlier of either
12 December 31, 1994, or the first 28th day of February
13 following any final judicial decisions resolving any
14 legal challenge to the ordinance in favor of the City.

15 Rebecca K. Kover
16 COUNCIL MEMBER

17 APPROVED AS TO FORM AND LEGALITY

18
19 J. Timothy McCaulay
20 J. TIMOTHY McCAULAY, CITY ATTORNEY

21 Attest:

22 The above and foregoing is a true and
23 perfect copy of Bill No. X-94-02-08

24 Enrolled Ordinance No. X-01-94

25 as the same appears and remains on
26 record in my office.

27 Witness my hand and seal this 29th

28 day of April 1994

29 Sharon E. Kennedy
30 CLERK
31
32

Read the first time in full and on motion by Garrie, seconded by _____, and duly adopted, read the second time by _____ and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 2-8-94 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Garrie, seconded by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
RADBURY	<u>✓</u>			
MONDS	<u>✓</u>			
LAQUINTA	<u>✓</u>			
ENRY	<u>✓</u>			
ONG	<u>✓</u>			
INSEY	<u>✓</u>			
VINE	<u>✓</u>			
HMIDT	<u>✓</u>			
LARICO	<u>✓</u>			

DATED: 3-8-94 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. X-01-94 the 8th day of March, 1994

ATTEST: Sandra E. Kennedy (SEAL) Don J. Schmitter
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of March, 1994, the hour of 11:30 o'clock A, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of March, 94, at the hour of 8:00 o'clock 9 A M., E.S.T.
Paul Helmke
PAUL HELMKE, MAYOR

ANNEXATION ORDINANCE NO. X-

01-94

AN ORDINANCE annexing certain territory commonly known as the Fall Creek Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of Section 33, T31N, R12E, 2nd P.M., Washington Civil Township, Allen County, Indiana, and part of Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 92.4 acres, more or less, and more particularly described as follows:

Beginning on the west line of the NW 1/4 of Section 4, T30N, R12E, 2nd P.M., Allen County, Indiana extended northerly to its intersection with the northerly right of way line of the Bass Road and also being on the boundary of the F.O.P Club Annexation Area (Ordinance No. X-09-68); thence easterly along the northerly right of way line of the Bass Road and also being a portion of the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68), a portion of the Stanley Adams Farm Annexation Area (Ordinance No. X-2) and a portion of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the westerly right of way of Lindenwood Avenue (formerly Wilson Avenue in the plat of Commissioner's Subdivision of Ewing's Outlot 2, Deed Record 31, page 407, Office of the Allen County Recorder) extended northerly; thence southerly along the westerly right of way line of said Lindenwood Avenue extended northerly, the westerly right of way line of Lindenwood Avenue, said line also being the easterly line of Lot 2, Lot 3 and a portion of Lot 6 in Commissioner's Subdivision of Ewing's Outlot 2 and also being on a portion of the boundary of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the northerly right of way line of the Norfolk and Western Railroad (formerly the New York, Chicago and St. Louis Railroad); thence westerly along the northerly right of way line of the Norfolk and Western Railroad to its intersection with the westerly line of the Secondary Plat of Fall Creek, Section II (Plat Cabinet B, page 81, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section II to the southwest corner of Lot 23 in the Secondary Plat of Fall Creek, Section I (Plat Cabinet B, page 42, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section I and also being the west line of the NW 1/4 of section 4, T30N, R12E, 2nd P.M., Allen County, Indiana, to the place of beginning.

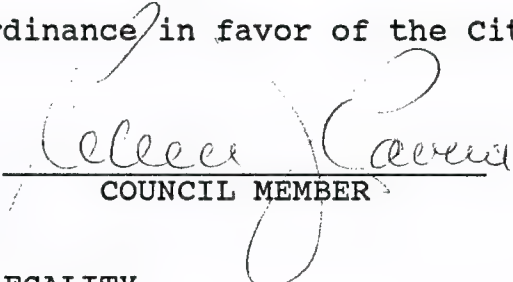
SECTION 2. That the City of Fort Wayne will
1 furnish the above described territory within a period
2 of one (1) year from the effective date of annexation,
3 planned services of a non-capital nature, including
4 police protection, fire protection, and street and road
5 maintenance, in a manner which is equivalent in
6 standard and scope to those non-capital services
7 provided to areas within the City of Fort Wayne which
8 have similar topography, patterns of land utilization
9 and population density to the said described territory.
10 The City of Fort Wayne will also provide services of a
11 capital improvement nature, including street
12 construction, street lighting, sewer facilities, water
13 facilities and stormwater drainage facilities to the
14 annexed territory within three (3) years of the
15 effective date of annexation, in the same manner as
16 such services are provided to areas already in the City
17 of Fort Wayne with similar topography, patterns of land
18 utilization and population density, and in a manner
19 consistent with federal, state and local laws,
20 procedures and planning criteria.

SECTION 3. That governmental and proprietary
21 services will be provided to the above described
22 territory in a manner consistent with the written
23 Fiscal Plan for the territory developed by the Division
24 of Community and Economic Development. Said Plan was
25 examined by the Common Council of the City of Fort
26 Wayne and is approved and adopted by the Common Council
27 by and upon the passage of this Ordinance. Two copies
28 of said plan are on file in the office of the Clerk of
29 the City of Fort Wayne and are available for inspection
30 as required by law.
31

SECTION 4. That said described territory shall be
32 temporarily assigned to Councilmanic Political Ward No.
4 of the City of Fort Wayne, Indiana, as described in

1 Division I, Section 2-9 of Chapter 2 of the Municipal
2 Code of the City of Fort Wayne, Indiana of 1974, as
3 amended. This assignment is subject to redistricting
4 pursuant to I. C. 36-4-6-3 (g).

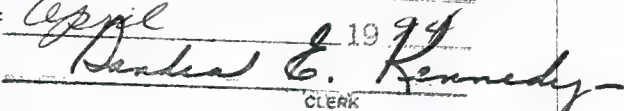
5 SECTION 5. That, after adoption and any and all
6 necessary approval by the Mayor, this Ordinance shall
7 be published as provided for in I. C. 36-4-3-7. The
8 above mentioned territory shall become part of the City
9 of Fort Wayne on December 31, 1994. In the event of
10 litigation challenging the ordinance, the territory
11 shall become part of the City on the earlier of either
12 December 31, 1994, or the first 28th day of February
13 following any final judicial decisions resolving any
14 legal challenge to the ordinance in favor of the City.

15 
16 COUNCIL MEMBER

17 APPROVED AS TO FORM AND LEGALITY

18
19 
20 J. TIMOTHY MCCAULAY, CITY ATTORNEY

21
22
23 Attest:

24 The above and foregoing is a true and
25 perfect copy of *Bill No. X 44-02-08*
26 *Consolidation Ordinance No. X-01-94*
27 as the same appears and remains on
28 record in my office.
29 Witness my hand and seal this *29th*
30 day of *April* 19 *94*
31 
32 CLERK

33 AUDITOR'S OFFICE

34 **F I L E D**
35 APR 29 1994

36 
37 AUDITOR OF ALLEN COUNTY

Read the first time in full and on motion by Garrie, seconded by Regulation, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 2-8-94, the 2 o'clock P. M., E.S.T.

DATED: 2-8-94 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Garrie, seconded by Garrie, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
RADBURY	<u>✓</u>			
MONDS	<u>✓</u>			
aQUINTA	<u>✓</u>			
ENRY	<u>✓</u>			
NG	<u>✓</u>			
INSEY	<u>✓</u>			
VINE	<u>✓</u>			
HMIDT	<u>✓</u>			
LARICO	<u>✓</u>			

DATED: 3-8-94 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. X-01-94 the 8th day of March, 1994

ATTEST: Sandra E. Kennedy (SEAL) Don J. Schmitter
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of March, 1994, the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of March, 94, at the hour of 8:00 o'clock 9 A. M., E.S.T.
Paul Helmke
PAUL HELMKE, MAYOR

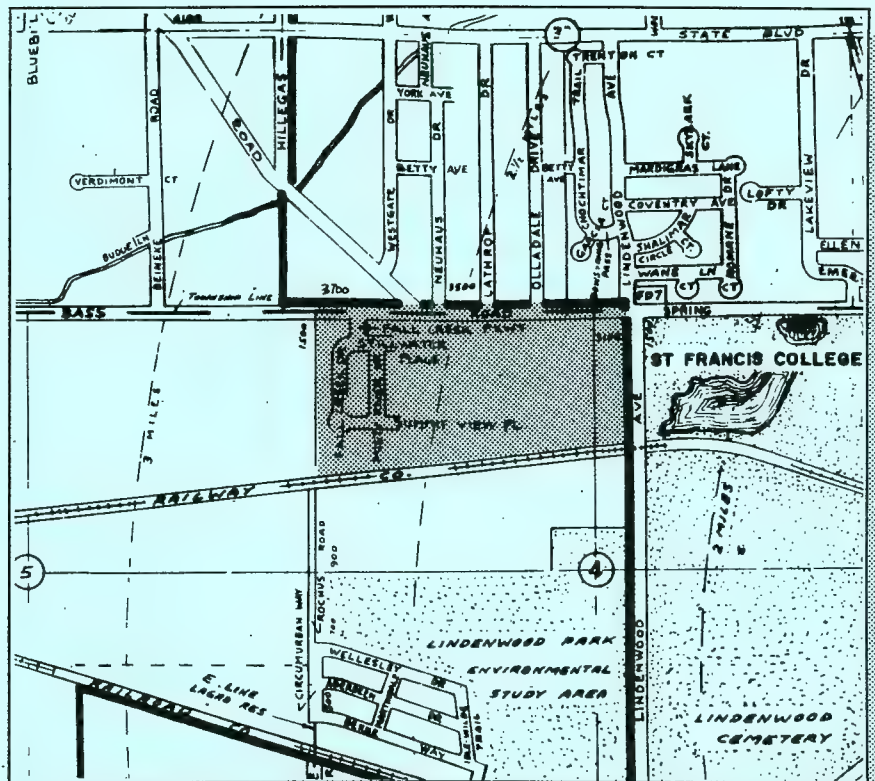
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

FEBRUARY 1994

FALL CREEK
ANNEXATION

COMMUNITY & ECONOMIC



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Gregg LaMar
Director
Division of Community and Economic Development

Gary Stair
Director of Planning

Fort Wayne City Plan Commission

Mel Smith, President
Robert Hutner, Secretary
Ernest Evans
James Hoch
Charles Layton
David Ross
Mark E. GiaQuinta
Carol Kettler Sharp
Vicky VerPlanck

Research and Preparation

Andrew Dobson, Planner I
Pamela Holocher, Senior Planner

INTRODUCTION

Over the past 20 years, the City of Fort Wayne has been pursuing a vigorous policy for annexing land adjacent to its corporate limits. This proposal is a logical continuation of this policy.

This fiscal plan explains how the Fall Creek Annexation Area conforms to the state law requirements. The plan also provides basic data about the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the City.

The proposed annexation area is approximately 94 acres and contains primarily residential land and open space. The Fall Creek Subdivision, contained in the proposed annexation area, is anticipated to be fully constructed by the effective date of annexation. As a result, this plan has been prepared with the assumption the area will be fully developed.

A map of the Fall Creek Annexation Area is presented on the following page, Figure 1.

FALL CREEK ANNEXATION AREA

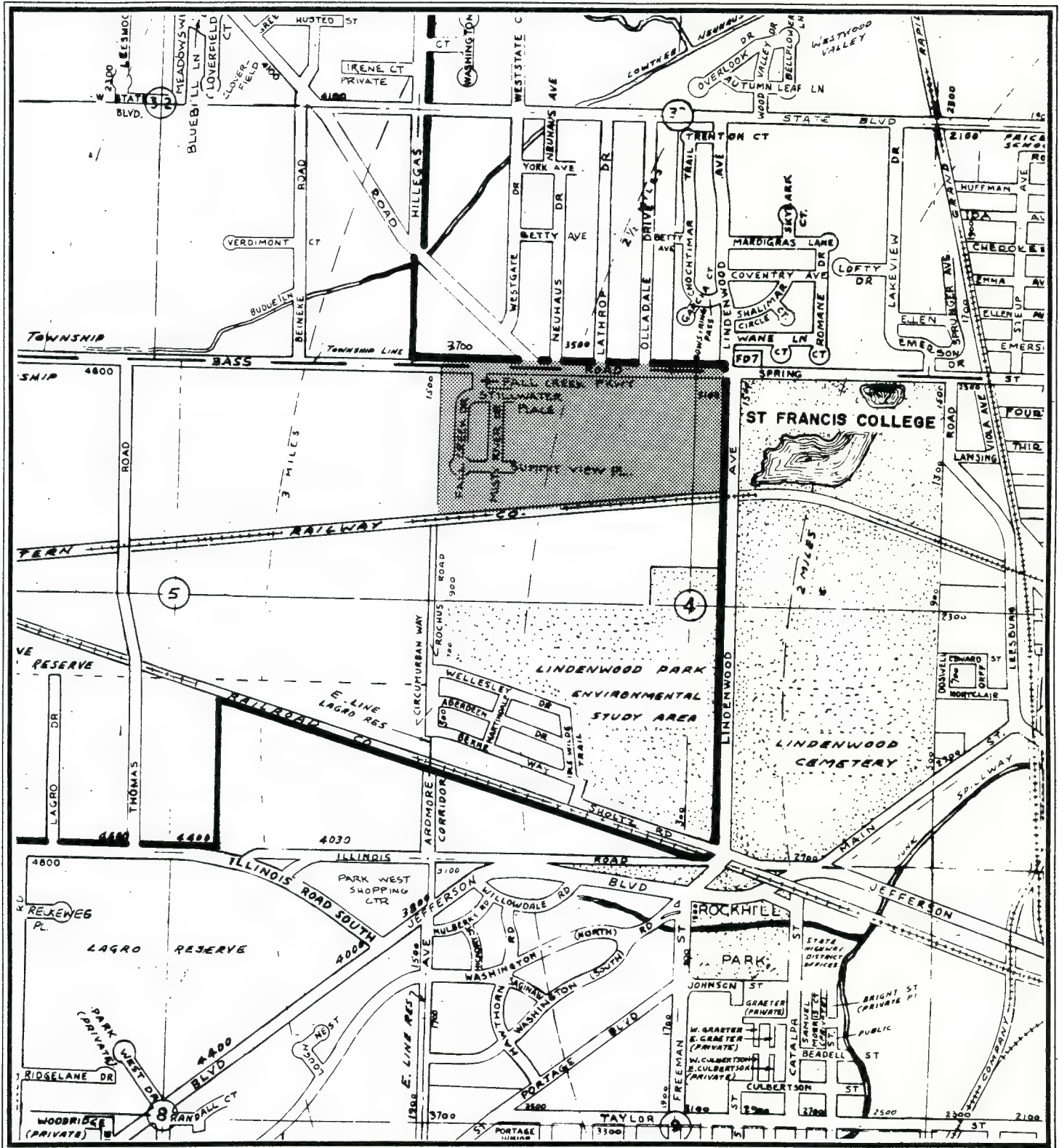


TABLE OF CONTENTS

SECTION ONE: Basic Data	1
A. LOCATION	1
B. SIZE	1
C. POPULATION	1
D. BUILDINGS	1
E. PATTERNS OF LAND USE	1
F. ZONING	3
G. TOPOGRAPHY	3
H. ASSESSMENT	3
I. NET TAX RATES	3
J. COUNCIL DISTRICT	3
K. SELECTED AREA WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE AND POPULATION DENSITY	5
SECTION TWO: The Comprehensive Annexation Program	7
SECTION THREE: State Law Requirements	8
A. INTRODUCTION	8
B. ONE-EIGHTH CONTIGUOUS	10
C. CONCLUSION	10
SECTION FOUR: Municipal Services	11
A. POLICE	11
B. FIRE PROTECTION	12
C. EMERGENCY MEDICAL SERVICE (EMS)	13
D. SOLID WASTE DISPOSAL	13
E. TRAFFIC CONTROL	14
F. STREETS AND ROADS	15
G. PARKS AND RECREATION	15
H. WATER	15
I. FIRE HYDRANTS	16
J. SANITARY SEWERS	16
K. STORM SEWERS	16
L. STREET LIGHTING	16
M. ANIMAL CONTROL	17
N. ADMINISTRATIVE SERVICES	17

SECTION FIVE: Plan for Hiring Governmental Employees Displaced by Annexation . .	19
SECTION SIX: Financial Summary and Recommendation	20
A. REVENUES	20
B. EXPENDITURES	21
C. FIVE YEAR SUMMARY	22
D. RECOMMENDATION	23
APPENDIX: Fall Creek Annexation Area Legal Description	24

SECTION ONE

Basic Data

A. LOCATION

The area proposed for annexation is located west of the City of Fort Wayne along Bass road. The annexation area is bounded on the north by present city limits, on the south by the Norfolk & Western Railroad Company right-of-way, on the east by present city limits, and on the west by the western boundary of Fall Creek Addition sections 1 and 2 (see Figure 2).

B. SIZE

The Fall Creek Annexation Area contains approximately 94 acres.

C. POPULATION

Block statistics from the 1990 U.S. Census of Population and Housing show that there are 4.2 persons per household in the annexation area. Assuming that all 107 homes of Fall Creek Addition are built and occupied at the time of annexation, the population is estimated to be 491 people.

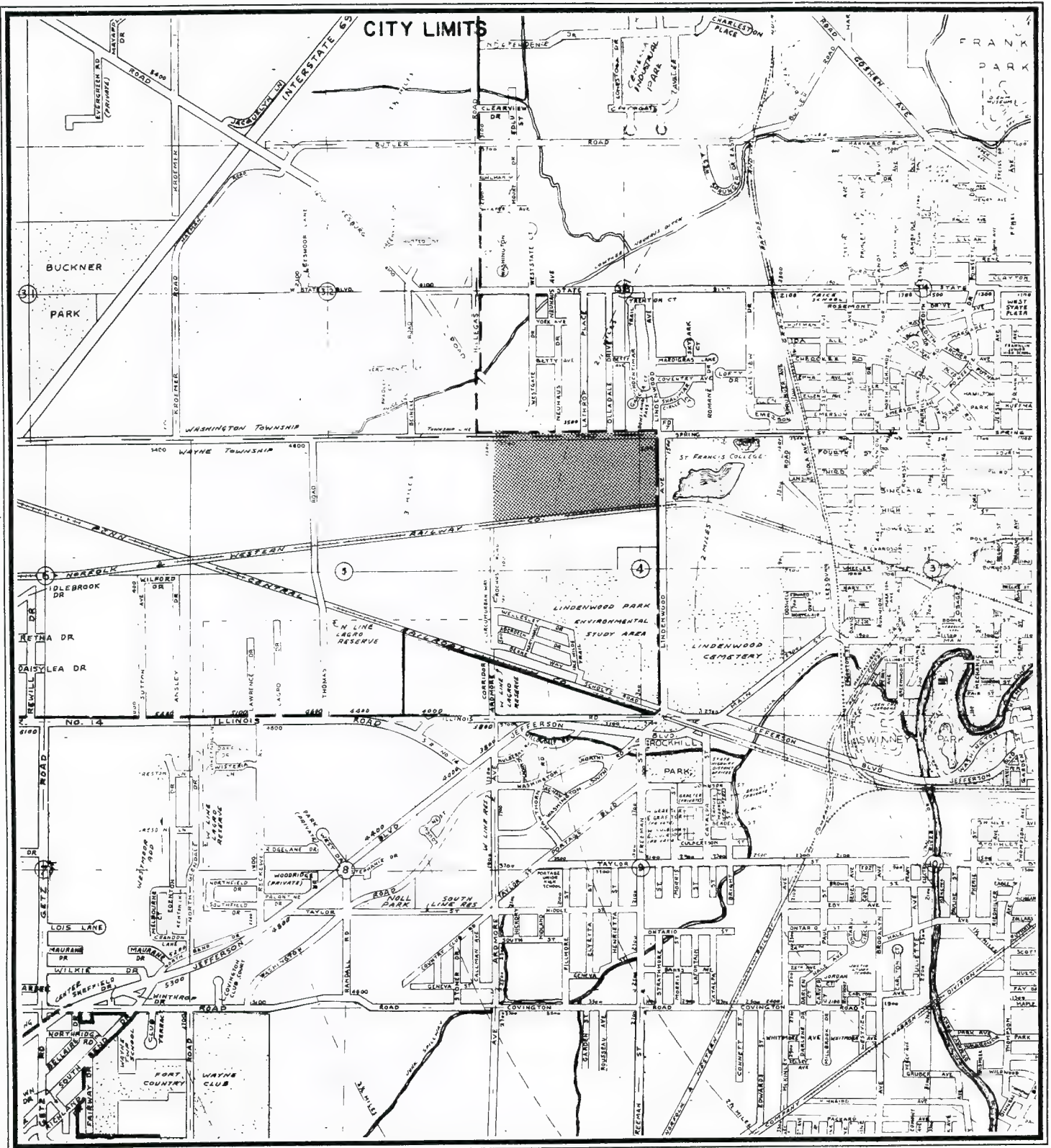
D. BUILDINGS

Residential Structures	62 structures in good condition 54 anticipated to be built
Institutional (St. Francis College)	1 structure in good condition

E. PATTERNS OF LAND USE (Approximations)

	Acres	Percent
Open/agricultural	45.70	48.62
Single family residential	36.82	39.17
Right-of-way	9.48	10.08
Institutional	2.0	2.13
Total	94	100%

FALL CREEK



LOCATION

F. ZONING

The Fall Creek Annexation Area currently is zoned RSP-1 (see Figure 3). Upon annexation, this area will be under jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

County Zoning Classification	City Zoning Classification
RSP-1: Planned Residential	R-1: Single Family Residential

G. TOPOGRAPHY

The soils in the Fall Creek Annexation Area are predominantly Blount Silt loam and Pewamo Silty Clay Loam, with some areas of Morley soils. It has been determined using the Allen County Soils Survey that the area's topography is gently sloping.

H. ASSESSMENT

The Fall Creek Addition is presently only partially completed. Assuming that by the effective date of annexation the remaining lots are developed with single-family residences similar to those already built, the assessed value of the annexation area will be approximately **\$1,960,000**.

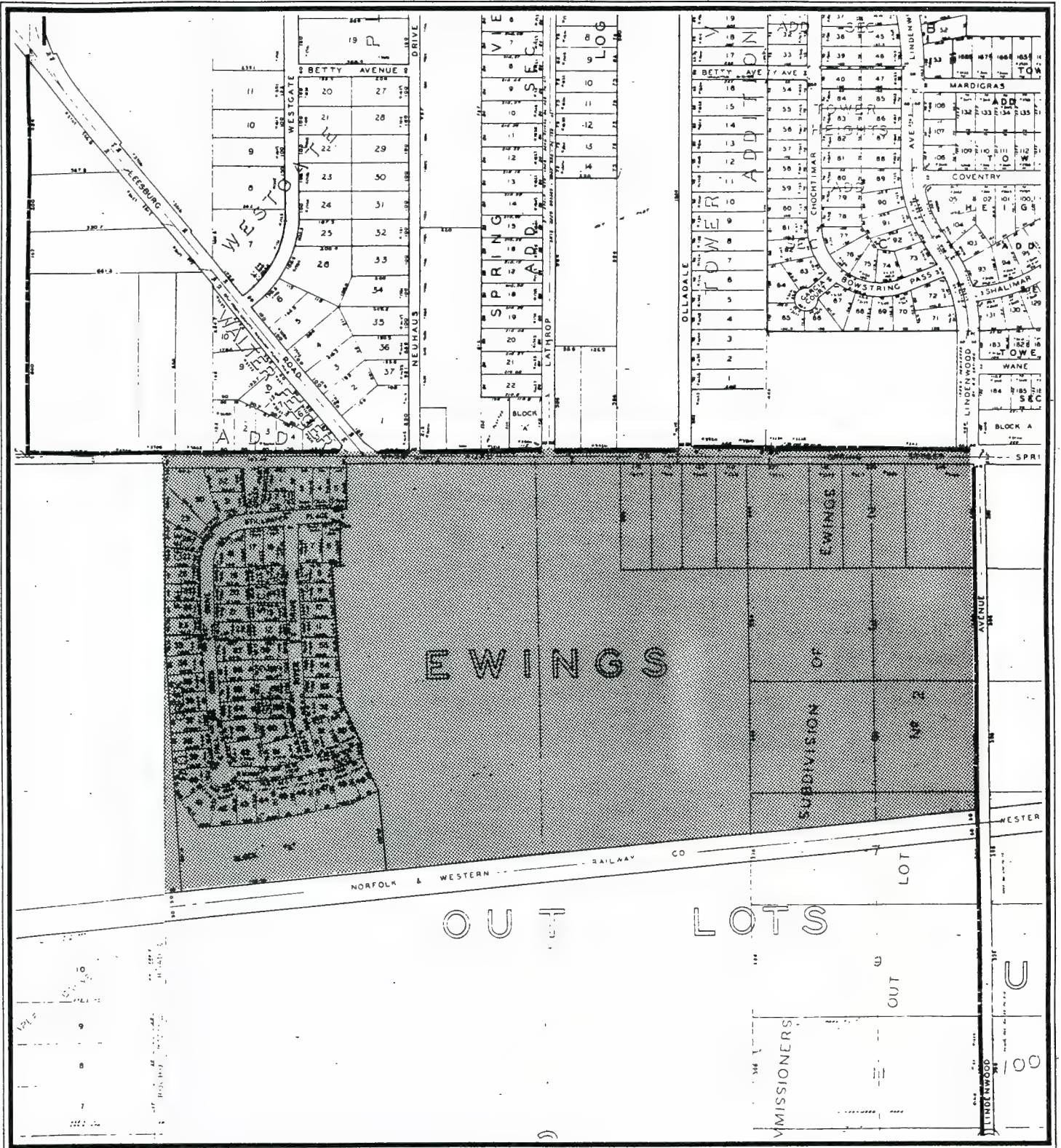
I. NET TAX RATES (1992 Payable 1993 Rates)

Existing	6.463719
After Annexation	8.413891
Increase	1.950172 (30%)

J. COUNCIL DISTRICT

The Fall Creek Annexation Area will be initially assigned to City Council District 4, subject to any later statutorily-required reapportionment.

FALL CREEK



ZONING

 RSP-1 Single Family(Planned)

K. SELECTED AREA WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE AND POPULATION DENSITY

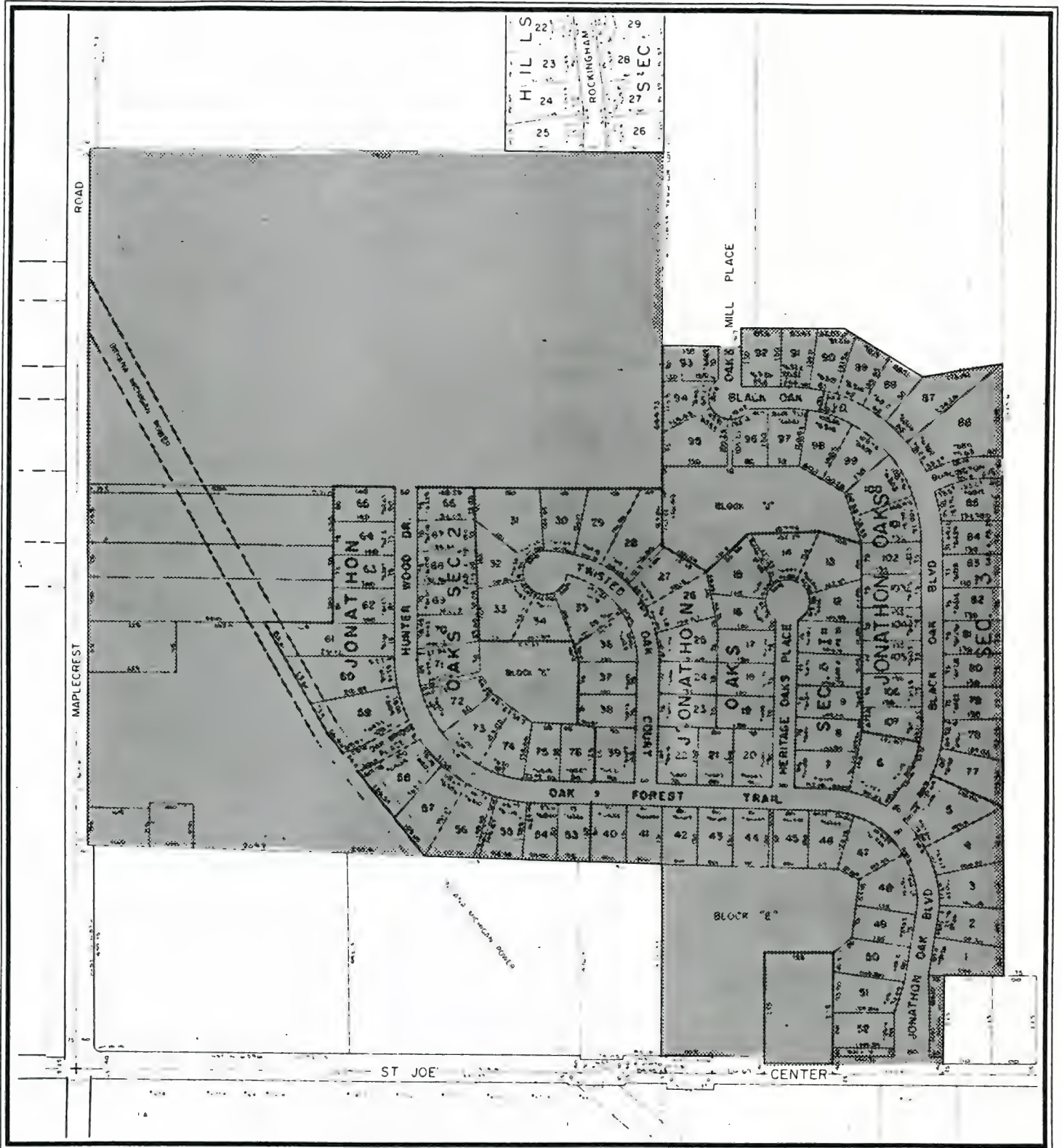
As the City has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use and population density to the Fall Creek Annexation Area is the Jonathon Oaks area. Table 1 compares the two areas, and Figure 4 shows the location of the Jonathon Oaks area.

Table 1

	Fall Creek Area	Jonathon Oaks Area
Topography	Gently Sloping with Pewamo, Blount, and Morley soils	Gently Sloping with Pewamo, Blount, and Morley soils
Land use patterns	Residential & open space	Residential & open space
Population density	5.22 persons/acre	5.31 persons/acre

No area within the City with similar topography, patterns of land use and population density as the Fall Creek Annexation Area is receiving services higher in standard or scope than those services proposed for the Fall Creek Annexation Area.

JONATHON OAKS



COMPARABLE AREA

SECTION TWO

The Comprehensive Annexation Program

The annexation of the Fall Creek area is part of a larger, comprehensive annexation program that was developed in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. *The Annexation Policy and Program Study* was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth." Because the Fall Creek area met this criteria in 1975-1976, the report identified it as part of a larger area (WAY-1) which was recommended for annexation.

SECTION THREE

State Law Requirements

A. INTRODUCTION

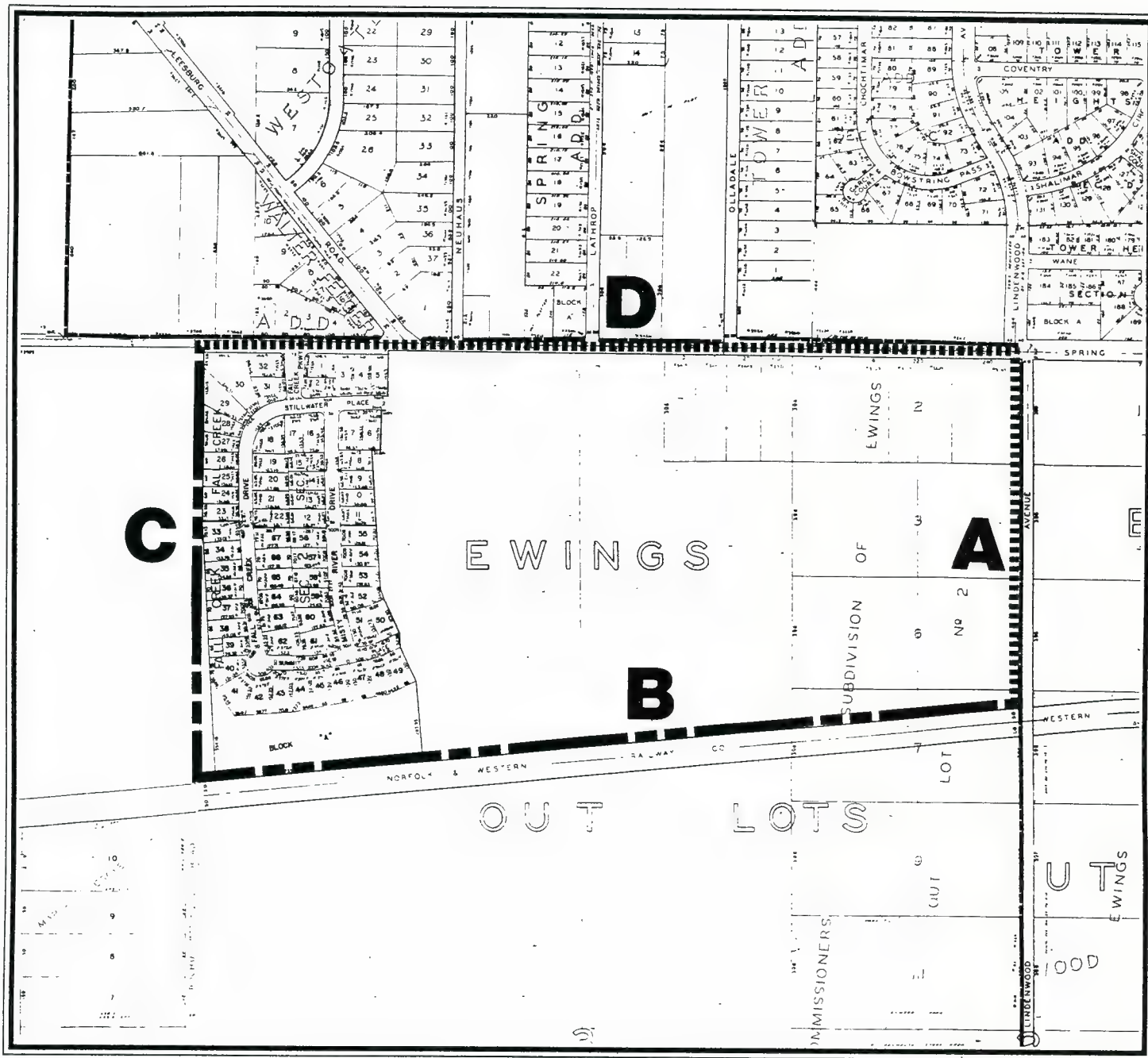
When pursuing an annexation, a municipality must be sure that the proposed annexation is in accordance with the State Law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. An annexing city must meet the guidelines of at least one of the options. The two options are:

1. The area must be at least one-eighth contiguous (12.5 percent) to the municipality and it must meet at least one of the following three conditions:
 - (a) have a population density of at least three persons per acre;
 - (b) be zoned for commercial business, or industrial uses;
 - (c) be at least sixty percent subdivided.
2. The boundaries of the annexation area must be at least one-fourth contiguous (25 percent) to the municipality and the area must be needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a written fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, together with the methods of financing such services.

The Fall Creek Annexation Area meets the first option which has been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how the Fall Creek Annexation Area meets this requirement.

FALL CREEK



CONTIGUITY

CONTIGUOUS

A. 1230'
D. 2880'

NON-CONTIGUOUS

B. 2850'
C. 1575'

TOTAL 4110' (48.2%)

4425' (51.8%)

B. ONE-EIGHTH CONTIGUOUS

The Fall Creek Annexation Area meets the following conditions for annexation. First, it is at least one-eighth or 12.5% contiguous to the City of Fort Wayne. Second, it has a population density of at least 3 persons per acre, and it is over 60% subdivided.

C. CONCLUSION

The Fall Creek Annexation Area should be annexed into Fort Wayne because it meets the annexation tests which have been established by the State Legislature. First, the area is more than one-eighth contiguous to the city of Fort Wayne, has a population density of more than 3 persons per acre, and the area is over 60% subdivided. In addition, the area meets yet another test for annexation in that it is more than 25% contiguous to the City and is needed and can be used by the City for its growth in the reasonably near future.

SECTION FOUR

Municipal Services

This section of the Fiscal Plan projects costs and methods of financing municipal services for the Fall Creek Annexation Area. How and when the City plans to extend non-capital services and capital improvements is also outlined in the following pages. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

The municipal services described in this section are analyzed according to the needs of the Fall Creek Annexation area, the costs of providing services, and funding sources. It should be noted that the costs of providing municipal services have been rounded off to the nearest dollar and are calculated at today's dollar value. In addition, costs to provide municipal services to the Fall Creek Annexation Area will be inflated in the Financial Summary Section which follows this section.

As required by State Law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the Fall Creek Annexation Area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density, including but not limited to the Jonathon Oaks Area.

A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, and resolution of day-to-day conflicts among family, friends, neighbors, and the community. The Police Department is involved in legal work, such as participation in court proceedings and the protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

The Police Department has projected the number of police officers needed to protect the Fall Creek Annexation Area. Statistics, including the number of calls for service and the average

response times, were obtained from the Communications Department Computer Aided Dispatch System (CAD) to project service needs and costs in the proposed annexation area.

It is estimated that there will be 32 calls for service in the proposed annexation area annually. The proposed annexation area will be incorporated into District #3. However, this area will be subject to redistricting in accordance with the Police Department's *Target 2000* plan. With this number of calls for service, it is not deemed necessary to hire additional personnel to provide service to the annexation area.

The cost to provide protection to this area will be \$486.80 annually. This cost is based on an officer's average hourly salary of \$19.32 multiplied by an estimated service time of 45 minutes spent per call for 32 calls. This yields a service cost of \$463.62. An additional 5 percent or \$23.18 cost for administrative functions is added to the above. This results in a total cost to the City of \$486.80.

CAPITAL COST:	\$0
ESTIMATED ANNUAL COST:	\$487.00

B. FIRE PROTECTION

It is not clear at this time as to whom will ultimately provide fire service to the proposed annexation area. The reason for the confusion is that this area "appears" to lie within the jurisdiction served by the Southwest Allen County Fire District. If it is determined that the area is not within the Southwest Allen County Fire District, then the City is obligated to provide fire service.

If the Fort Wayne Fire Department is responsible for providing fire protection services to the Fall Creek Annexation Area, services will be provided immediately upon annexation. These services will include full fire suppression activities, fire prevention, EMS support response on life hazards, emergency hazardous materials response, public education and fire investigations.

Primary response to emergencies would come from Station #7 located at 1622 Lindenwood Avenue, approximately one-half mile from the annexation area. There is one Class A pumper located at Station #7. Primary response time would be between three and five minutes. Secondary response would come from Station # 2 located at 2023 Taylor Avenue. Secondary response time would be between five and seven minutes.

The Fall Creek Annexation area is located adjacent to other city-covered areas. At the time this plan was prepared, it was estimated that there would be between ten and twenty responses into the annexation area. This estimation is based on responses to fire zone 150 located immediately north of the proposed annexation area. Because the structures in the annexation area are considerably newer than those in fire zone 150, it is anticipated that there will be fewer fire emergency responses in the proposed annexation area. Therefore, for the purpose of this Fiscal Plan, the 10-response figure will be used.

The average 1992 operating cost per service run is \$1,040. Therefore, the total cost for fire services would be \$10,400 annually. There will be no need for additional equipment or personnel resulting from this annexation.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$10,400

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Three Rivers Ambulance Authority is the only provider of ambulance service to City residents. Three Rivers Ambulance Authority is currently providing emergency medical services (life-threatening and non-life-threatening), and medical transporting of all persons within the community. Emergency responses are in conjunction with the local volunteer ambulance service with no required response times at present.

Using service run records over the past several years, as many as six EMS ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station #7. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, fire fighters are able to administer medical treatment to residents before the ambulance arrives.

The method of financing Emergency Medical Service is based on user fees. The current charges for ambulance service are show below:

1. \$120 plus \$5 per loaded mile for non-emergency transfer scheduled 24 hours in advance.
2. \$170 plus \$5 per loaded mile for non-sheduled non-emergency transfers.
3. \$380 plus \$7.50 per loaded mile for all emergencies for City and non-city residents plus a \$30 fee for emergency response.

This method of financing permits service to be extended to the annexation area with its existing budget, while no additional manpower or equipment will be needed to service the annexation area.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST \$0

D. SOLID WASTE DISPOSAL

The Solid Waste Department currently oversees garbage and non-freon appliance collection within the City of Fort Wayne. The service is provided through a contract with Waste

Management Inc. Currently, garbage service is paid for through a \$5.00 per month user fee per single family household and subsidized with property taxes. The amount of property tax residents of the Fall Creek Annexation Area will pay to subsidize solid waste collection is negligible. In the future, the City may implement a volume based fee/user fee system for financing waste collection, but information as to when this may occur is not available.

In addition, the Solid Waste Department oversees the composting program at 5510 Lake Avenue, and contracts with Appliance Recycling Centers of America Inc. (ARCA) to pick up illegally dumped freon appliances. Residents of the annexation area will be able to take up to 1/2 ton of yard waste to the composting site at no charge. Residents will also be able to contact ARCA for collection and recycling of their freon appliances for \$35.00 per appliance.

These services will be available to the residents of the annexation area immediately upon annexation. It will not be necessary for the City to hire additional personnel or purchase additional equipment to provide these services.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately after the effective date of annexation. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stop lights and control signs.

The Traffic Engineering Department will not require any additional employees to serve the Fall Creek Annexation Area. Table 2 below details the capital and costs for installation of two new street signs.

Table 2

Type of sign	Size	Quantity	Unit cost	Total cost
Street name	30"x 6"	2 sets	\$37.80	\$75.60
Posts	12', 2 lb	2 poles	\$14.00	\$28.00
Labor				\$36.90
Total				\$140.50

In addition to these capital improvement costs, there will be an annual maintenance cost of \$268.00 for centerline striping along Bass Road.

CAPITAL COST: \$141.00
ESTIMATED ANNUAL COST: \$268.00

F. STREETS AND ROADS

The incorporation of the Fall Creek Annexation Area will add .85 miles of residential and .54 miles of arterial roads to the City street system. The arterial road is classified in fair condition, and the residential streets are classified in good condition.

The City of Fort Wayne Street Department is responsible for the general maintenance of the City's streets and roads. General maintenance includes leaf pick-up, street and berm maintenance, snow removal, street sweeping, right-of-way mowing, minor ditch maintenance, and guard rail repair. These services will be available to the annexation area immediately upon the effective date of annexation. No additional personnel or equipment will be required to provide these services.

The average cost of street maintenance is \$5,900 per centerline mile of road. Annexation of the Fall Creek area will bring 1.4 miles of roads into the City. Therefore, the estimated annual cost for street maintenance is \$8,207.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$8,207.00

G. PARKS AND RECREATION

Residents of the proposed annexation area are in close proximity to Lindenwood Environmental Study Area, Rockhill, West Sweeny, and East Sweeny Parks. These facilities offer picnic grounds, hiking trails, basketball courts, baseball diamonds, playgrounds, fishing areas, swimming pools, and a bicycle motor-cross track. All of these facilities would continue to be available to residents upon annexation.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

H. WATER

The Fort Wayne Water Utility is presently serving the annexation area. The City will provide engineering services as needed to this area upon annexation.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$221.26 annually for each hydrant located within the City. The City will pay the Water Utility for hydrant maintenance from the General Fund.

Currently, the Fall Creek Annexation area contains 12 fire hydrants, As a result, the City will pay the Water Utility \$2,655.12 a year after the area is annexed into the City.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$2,655.00

J. SANITARY SEWERS

The Fort Wayne Department of Water Pollution Control (WPC) currently provides sanitary sewers to portions of the annexation area. WPC will provide engineering services as needed for additional sanitary sewers as the area is developed.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

K. STORM SEWERS

Upon annexation, the Fort Wayne Department of Water Pollution Control (WPC) will consider storm sewer installation upon petition by property owners. The City will provide engineering services for such a project. Certain storm drainage improvements may be funded from the City's Storm Water Utility. Emergency and routine maintenance of public drainage systems which are up to City standards will be the responsibility of the City's Sewer Maintenance Department after annexation. The source of revenue City Utilities utilizes for providing these services will be the Storm Water Utility's drainage fees.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

L. STREET LIGHTING

It is the goal of the City to light every intersection in Fort Wayne, to reduce night accidents, aid in police protection, facilitate the traffic flow, and inspire community spirit and growth. The Street Light Engineering Department has determined that there are eleven existing lights in the annexation area. If any additional lights are required in Fall Creek Addition, they are anticipated to be installed by the developer. The maintenance and energy cost per light is \$75.00 per year. Therefore, maintenance costs would amount to \$825.00 annually.

Operating costs will be paid by the City through the regular departmental budget. Any additional mid-block lighting, ornamental lighting or underground wiring must be petitioned by the residents involved per State Statute. The residents would be assessed for the cost of such installation.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$825.00

M. ANIMAL CONTROL

The Fort Wayne Department of Animal Control will provide various services to the Fall Creek Annexation Area immediately upon the effective date of annexation. The services this department will provide, include, but are not limited to, the sheltering of stray animals, response to animal complaints and emergencies, 24-hour service (seven days a week including holidays), canvassing for unconfined strays, trap rental, pet adoption, and a humane education program.

The annexation area is located within the North District of the Animal Control Department. The total cost to provide Animal Control services to the Fall Creek Annexation Area will be \$1,101 annually. This cost is based on the projected number of animal complaint runs made to the area and the projected number of stray animals that will need to be sheltered from the area. It is estimated that 33 animal complaint runs will be made into the area annually, at a cost of \$8.38 per call, for a total cost of \$275. It is anticipated that 15 stray animals from the area will need to be held for a minimum of three days at a cost of \$19 per day per animal, for a total annual cost of \$826. No additional staffing needs are anticipated.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$1,101.00

N. ADMINISTRATIVE SERVICES

All administrative functions of the City of Fort Wayne will be available to the Fall Creek Annexation Area residents immediately upon the effective date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Commission, the City Clerk's Office, and the Citizen's Advocate Office. General administration includes all of the regulatory and program functions for the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size and population of an area. Consequently, this plan does not include cost estimates. However, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund and State and Federal Government.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

SECTION FIVE

Plan for Hiring Governmental Employees Displaced by Annexation

It is not anticipated that, due to the annexation of the Fall Creek area, any governmental employees will be eliminated from other governmental agencies. However, if any government employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

Financial Summary and Recommendation

The purpose of this section is to project the revenues and expenditures of the proposed Fall Creek Annexation area. This section will also provide a five year summary for the years 1995 to 1999 of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Fall Creek Annexation Area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Wayne Township Assessor. The formula for computing tax revenue is shown in Table 3.

Table 3: Tax Revenue Formula

$$\frac{V-E}{100} (T) = TR$$

Where:

V = Assessed Valuation

E = Home Mortgage Exemption (\$1,000)

T = City Tax Rate

TR = Tax Return

The Fall Creek Addition is presently only partially developed, but it is anticipated that by the effective date of annexation the subdivision will be fully developed with 107 homes. The average assessment of existing houses in the Fall Creek Addition was used to project the assessed value of the entire subdivision. This amount, added to the assessed value of the remaining 11 taxable properties not contained in the Fall Creek Addition, gives the total assessment for the Fall Creek Annexation Area.

Calculated in this manner, the total assessed valuation of the Fall Creek Annexation Area is estimated at \$1,960,000. The home mortgage exemption is deducted from the total. Assuming that Fall Creek Addition is completely developed at the time of annexation, 116 residential structures would exist. Further assuming that each one is eligible for a home mortgage exemption of \$1,000, the total taxable assessed valuation becomes \$1,844,000.

Property tax for 1993 can then be determined by applying the City tax rate to this figure (See Table 4) giving a total property tax revenue of \$44,357. Using a 4.0 percent annual rate of inflation, the property tax revenue for 1996, the first year taxes would be due in the Fall Creek Annexation Area, would be \$49,896. A portion of this revenue would be supplied from the State Property Tax Relief Fund.

The Fall Creek annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets Fund (LARS). These funds are allocated based on street miles. In 1993, the City received approximately \$8173 per centerline street mile in combined MVH and LARS Funds. This annexation will add 1.4 miles to the City's street system. Therefore, the City will receive an additional \$11,442 from MVH and LARS Funds. The City will receive these funds yearly beginning one year after the effective date of annexation.

The following table shows the area's City Taxing District Rate.

Table 4
Taxing District Rate

Corporation General	1.6424
Corporation Debt Service	0.3191
Police Pension	0.0385
Sanitary Officers Pension	0.0166
Park General	0.3766
Redevlopment General	0.0123
Total	2.4055

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax, County Option Income Tax, County Economic Development Tax, and the Alcoholic Beverage Tax. Some of these funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Fall Creek Annexation Area cannot be calculated. However, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 5. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, all capital improvement projects must follow routine city procedures which often require petitioning.

On the following page Table 5 details the costs that will be incurred by each department upon the annexation of the Fall Creek area. These costs do not reflect the inflation factor used to calculate the five year revenue summary shown in Table 6.

Table 5
Expenditures

	Capital Cost	Est. Annual Cost
Police	0	\$487
Fire	0	10,400
EMS	0	0
Solid Waste Disposal	0	0
Traffic Control	\$141	268
Streets & Roads	0	8,207
Parks & Recreation	0	0
Water	0	0
Fire Hydrants	0	2,655
Sanitary Sewers	0	0
Storm Sewers	0	0
Street Lighting	0	825
Animal Control	0	1,101
Administrative Services	0	0
Total	\$141	\$23,943

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Fall Creek Annexation Area for the first five years after it is incorporated into the City of Fort Wayne.

The summary includes a 4.0 percent inflation factor for municipal expenditures, and a 4.0 percent increase factor for City property tax revenues. These inflation factors have been derived through calculating the average expenditures and revenues over the past several years and are from the City of Fort Wayne Controller.

Property tax revenue from the annexation area will not be collected until 1996. Assuming the area is annexed in December of 1994, assessment will not occur until March of 1995, with revenues being collected in 1996. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$26,049 in 1995. Table 6 below details the revenues minus the expenses for the Fall Creek Annexation over the next five year period.

Table 6
Revenue Minus Expenses

Year	Expenditures	Property Tax Revenue	MVH & LARS	Balance
1995	26,049			(-26,049)
1996	26,933	49,896	11,442	34,405
1997	28,010	51,891	11,442	35,323
1998	29,130	53,968	11,442	36,280
1999	30,295	56,127	11,442	37,274
Total	140,417	\$211,882	\$45,768	117,233

D. RECOMMENDATION

This Fiscal Plan, which meets the State Law requirements that a fiscal plan be prepared, shows that the Fall Creek Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1994.

APPENDIX

Fall Creek Annexation Area Legal Description

Part of Section 33, T31N, R12E, 2nd P.M., Washington Civil Township, Allen County, Indiana, and part of Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 92.4 acres, more or less, and more particularly described as follows:

Beginning on the west line of the NW 1/4 of Section 4, T30N, R12E, 2nd P.M., Allen County, Indiana extended northerly to its intersection with the northerly right of way line of the Bass Road and also being on the boundary of the F.O.P Club Annexation Area (Ordinance No. X-09-68); thence easterly along the northerly right of way line of the Bass Road and also being a portion of the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68), a portion of the Stanley Adams Farm Annexation Area (Ordinance No. X-2) and a portion of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the westerly right of way of Lindenwood Avenue (formerly Wilson Avenue in the plat of Commissioner's Subdivision of Ewing's Outlot 2, Deed Record 31, page 407, Office of the Allen County Recorder) extended northerly; thence southerly along the westerly right of way line of said Lindenwood Avenue extended northerly, the westerly right of way line of Lindenwood Avenue, said line also being the easterly line of Lot 2, Lot 3 and a portion of Lot 6 in Commissioner's Subdivision of Ewing's Outlot 2 and also being on a portion of the boundary of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the northerly right of way line of the Norfolk and Western Railroad (formerly the New York, Chicago and St. Louis Railroad); thence westerly along the northerly right of way line of the Norfolk and Western Railroad to its intersection with the westerly line of the Secondary Plat of Fall Creek, Section II (Plat Cabinet B, page 81, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section II to the southwest corner of Lot 23 in the Secondary Plat of Fall Creek, Section I (Plat Cabinet B, page 42, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section I and also being the west line of the NW 1/4 of section 4, T30N, R12E, 2nd P.M., Allen County, Indiana, to the place of beginning.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

March 11, 1994

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of March 16 and March 23, 1994, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-94-02-08
Annexation Ordinance No. X-01-94
Fall Creek Annexation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 8th day of
March, 19 94, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-94-02-08 Annexation
Ordinance No. X-01-94 to-wit:

Bill No. X-94-02-08

ANNEXATION ORDINANCE NO. X- 01-94

AN ORDINANCE annexing certain
territory commonly known as the
Fall Creek Annexation Area to Fort
Wayne and including the same in
Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory
be and the same is hereby annexed to, and made a part
of, the corporation of the City of Fort Wayne, Indiana,
to-wit:

Part of Section 33, T31N, R12E, 2nd P.M., Washington
Civil Township, Allen County, Indiana, and part of
Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township,
Allen County, Indiana, containing 92.4 acres, more or
less, and more particularly described as follows:

Beginning on the west line of the NW 1/4 of Section 4,
T30N, R12E, 2nd P.M., Allen County, Indiana extended
northerly to its intersection with the northerly right
of way line of the Bass Road and also being on the
boundary of the F.O.P Club Annexation Area (Ordinance
No. X-09-68); thence easterly along the northerly right
of way line of the Bass Road and also being a portion
of the boundary of the F.O.P. Club Annexation Area
(Ordinance No. X-09-68), a portion of the Stanley Adams
Farm Annexation Area (Ordinance No. X-2) and a portion
of An Ordinance Redefining the Corporate Limits of the
City of Fort Wayne, Indiana (Ordinance No. G-106-67) to
the westerly right of way of Lindenwood Avenue
(formerly Wilson Avenue in the plat of Commissioner's
Subdivision of Ewing's Outlot 2, Deed Record 31, page
407, Office of the Allen County Recorder) extended
northerly; thence southerly along the westerly right of
way line of said Lindenwood Avenue extended northerly,
the westerly right of way line of Lindenwood Avenue,
said line also being the easterly line of Lot 2, Lot 3
and a portion of Lot 6 in Commissioner's Subdivision of
Ewing's Outlot 2 and also being on a portion of the
boundary of An Ordinance Redefining the Corporate
Limits of the City of Fort Wayne, Indiana (Ordinance
No. G-106-67) to the northerly right of way line of the
Norfolk and Western Railroad (formerly the New York,
Chicago and St. Louis Railroad); thence westerly along
the northerly right of way line of the Norfolk and
Western Railroad to its intersection with the westerly
line of the Secondary Plat of Fall Creek, Section II
(Plat Cabinet B, page 81, Office of the Allen County
Recorder); thence northerly along the westerly line of
the Secondary Plat of Fall Creek, Section II to the
southwest corner of Lot 23 in the Secondary Plat of
Fall Creek, Section I (Plat Cabinet B, page 42, Office
of the Allen County Recorder); thence northerly along
the westerly line of the Secondary Plat of Fall Creek,
Section I and also being the west line of the NW 1/4 of
section 4, T30N, R12E, 2nd P.M., Allen County, Indiana,
to the place of beginning.

1 Division I, Section 2-9 of Chapter 2 of the Municipal
2 Code of the City of Fort Wayne, Indiana of 1974, as
3 amended. This assignment is subject to redistricting
4 pursuant to I. C. 36-4-6-3 (g).

5 SECTION 5. That, after adoption and any and all
6 necessary approval by the Mayor, this Ordinance shall
7 be published as provided for in I. C. 36-4-3-7. The
8 above mentioned territory shall become part of the City
9 of Fort Wayne on December 31, 1994. In the event of
10 litigation challenging the ordinance, the territory
11 shall become part of the City on the earlier of either
12 December 31, 1994, or the first 28th day of February
13 following any final judicial decisions resolving any
14 legal challenge to the ordinance in favor of the City.

15 Rebecca J. Ravine

16 Rebecca J. Ravine
COUNCIL MEMBER

Read the third time in full and on motion by Ravine, and duly adopted,
placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey,
Ravine, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATED: 3-8-94

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as Annexation Ordinance No. X-01-94 on the 8th day of March, 1994.

ATTEST:

SEAL

Sandra E. Kennedy
City Clerk

Donald J. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
9th day of March, 1994, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of March, 1994, at the hour of
8:00 o'clock A.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of

Annexation Ordinance No. X-01-94
passed by the Common Council on the 8th day of
March, 1994, and that said Ordinance was
duly signed and approved by the Mayor on the 10th day of

and now remains on file and

SECTION 2. That the City of Fort Wayne will
1 furnish the above described territory within a period
2 of one (1) year from the effective date of annexation,
3 planned services of a non-capital nature, including
4 police protection, fire protection, and street and road
5 maintenance, in a manner which is equivalent in
6 standard and scope to those non-capital services
7 provided to areas within the City of Fort Wayne which
8 have similar topography, patterns of land utilization
9 and population density to the said described territory.
10 The City of Fort Wayne will also provide services of a
11 capital improvement nature, including street
12 construction, street lighting, sewer facilities, water
13 facilities and stormwater drainage facilities to the
14 annexed territory within three (3) years of the
15 effective date of annexation, in the same manner as
16 such services are provided to areas already in the City
17 of Fort Wayne with similar topography, patterns of land
18 utilization and population density, and in a manner
19 consistent with federal, state and local laws,
20 procedures and planning criteria.

SECTION 3. That governmental and proprietary
21 services will be provided to the above described
22 territory in a manner consistent with the written
23 Fiscal Plan for the territory developed by the Division
24 of Community and Economic Development. Said Plan was
25 examined by the Common Council of the City of Fort
26 Wayne and is approved and adopted by the Common Council
27 by and upon the passage of this Ordinance. Two copies
28 of said plan are on file in the office of the Clerk of
29 the City of Fort Wayne and are available for inspection
30 as required by law.
31

SECTION 4. That said described territory shall be
32 temporarily assigned to Councilmanic Political Ward No.
4 of the City of Fort Wayne, Indiana, as described in

FW Common Council
(Governmental Unit)
ALLEN County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

145 lines, 1 columns wide equals 145 equivalent lines
at .495 cents per line

\$ 71.78

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

\$ 72.78

LEGAL NOTICE

Notice is hereby given that on the 8th day of March, 1994, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-02-08 Annexation Ordinance No. X-01-94 to-wit:

ANNEXATION ORDINANCE NO. X-01-94
AN ORDINANCE annexing certain territory commonly known as the Fall Creek Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the city of Fort Wayne, Indiana, to-wit:

Part of Section 33, T31N, R12E, 2nd P.M., Washington Civil Township, Allen County, Indiana, and part of Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 92.4 acres, more or less, and more particularly described as follows:

Beginning on the west line of the NW 1/4 of Section 4, T30N, R12E, 2nd P.M., Allen County, Indiana extended northerly to its intersection with the northerly right of way line of the Bass Road and also being on the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68); thence easterly along the northerly right of way line of the Bass Road and also being a portion of the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68), a portion of the Stanley Adams Farm Annexation Area (Ordinance No. X-2) and a portion of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the westerly right of way of Lindenwood Avenue (formerly Wilson Avenue in the plat of Commissioner's Subdivision of Ewing's Outlot 2, Deed Record 31, page 407, Office of the Allen County Recorder) extended northerly; thence southerly along the westerly right of way line of said Lindenwood Avenue extended northerly, the westerly right of way line of Lindenwood Avenue, said line also being the easterly line of Lot 2, Lot 3 and a portion of Lot 6 in Commissioner's Subdivision of Ewing's Outlot 2 and also being on a portion of the boundary of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the northerly right of way line of the Norfolk and Western Railroad (formerly the New York, Chicago and St. Louis Railroad); thence westerly along the northerly right of way line of the Norfolk and Western Railroad to its intersection with the westerly line of the Secondary Plat of Fall Creek, Section II (Plat Cabinet B, page 81, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section II to the southwest corner of Lot 23 in the Secondary Plat of Fall Creek, Section I (Plat Cabinet B, page 42, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section I and also being the west line of the NW 1/4 of section 4, T30N, R12E, 2nd P.M., Allen County, Indiana, to the place of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the city of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

file of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to re-districting pursuant to I.C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and necessary approval by the Mayor, this Ordinance shall be published as provided for in I.C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1994. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

Rebecca J. Ravine
COUNCIL MEMBER

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey, Ravine, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None
DATED: 3-8-94

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-94 on the 8th day of March, 1994.

ATTEST:
Sandra E. Kennedy
City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of March, 1994, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 10th day of March, 1994, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Helmke Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-94, passed by the Common Council on the 8th day of March, 1994, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of March, 1994, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of March, 1994.

SANDRA E. KENNEDY
CITY CLERK
#950

3--16-23

Fort Wayne, IN

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

3/16, 23/94

Subscribed and sworn to before me this 23rd day of March, 1994.

MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997

FW Common Council
(Governmental Unit)
ALLEN County, Indiana

To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

LEGAL NOTICE
Notice is hereby given that on the 8th day of March, 1994, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-02-08 Annexation Ordinance No. X-01-94 to-wit:
Bill No. X-94-02-08
ANNEXATION ORDINANCE NO. X-01-94
AN ORDINANCE annexing certain territory commonly known as the Fall Creek Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the city of Fort Wayne, Indiana, to-wit:
Part of Section 33, T31N, R12E, 2nd P.M., Washington Civil Township, Allen County, Indiana, and part of Section 4, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 92.4 acres, more or less, and more particularly described as follows:
Beginning on the west line of the NW 1/4 of Section 4, T30N, R12E, 2nd P.M., Allen County, Indiana extended northerly to its intersection with the northerly right of way line of the Bass Road and also being on the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68); thence easterly along the northerly right of way line of the Bass Road and also being a portion of the boundary of the F.O.P. Club Annexation Area (Ordinance No. X-09-68), a portion of the Stanley Adams Farm Annexation Area (Ordinance No. X-2) and a portion of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the westerly right of way of Lindenwood Avenue (formerly Wilson Avenue in the plat of Commissioner's Subdivision of Ewing's Outlot 2, Deed Record 31, page 407, Office of the Allen County Recorder) extended northerly; thence southerly along the westerly right of way line of said Lindenwood Avenue extended northerly, the westerly right of way line of Lindenwood Avenue, said line also being the easterly line of Lot 2, Lot 3 and a portion of Lot 6 in Commissioner's Subdivision of Ewing's Outlot 2 and also being on a portion of the boundary of An Ordinance Redefining the Corporate Limits of the City of Fort Wayne, Indiana (Ordinance No. G-106-67) to the northerly right of way line of the Norfolk and Western Railroad (formerly the New York, Chicago and St. Louis Railroad); thence westerly along the northerly right of way line of the Norfolk and Western Railroad to its intersection with the westerly line of the Secondary Plat of Fall Creek, Section II (Plat Cabinet B, page 81, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section II to the southwest corner of Lot 23 in the Secondary Plat of Fall Creek, Section I (Plat Cabinet B, page 42, Office of the Allen County Recorder); thence northerly along the westerly line of the Secondary Plat of Fall Creek, Section I and also being the west line of the NW 1/4 of section 4, T30N, R12E, 2nd P.M., Allen County, Indiana, to the place of beginning.
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the city of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.
SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to re-districting pursuant to I. C. 36-4-6-3 (g).
SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1994. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.
Rebecca J. Ravine
COUNCIL MEMBER
Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey
Ravine, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-94 on the 8th day of March, 1994.
ATTEST:
Sandra E. Kennedy Donald J. Schmidt
City Clerk Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of March, 1994, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 10th day of March, 1994, at the hour of 8:00 o'clock A.M., E.S.T.
Paul Helmke Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-94, passed by the Common Council on the 8th day of March, 1994, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of March, 1994, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of March, 1994.
SANDRA E. KENNEDY
CITY CLERK
#950
3-16-23

equivalent lines \$ 71.78
1.00
publication (\$1.00 for each proof in excess of two) \$ 72.78
AIM
OST
1.5 ems
and penalties of Chapter 155, Acts 1953,
regarding account is just and correct, that the amount
er allowing all just credits, and that no part of the

19 94 Title: Clerk
Cindy Gillenwater

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)
Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time , the dates of publication being as follows:
3/16, 23/94

Subscribed and sworn to before me this 23rd day of March, 19 94.
Notary Public
MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997
My commission expires:

ALLEN

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

LINE COUNT

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

145 lines, 1 columns wide equals 145 equivalent lines
at .495 cents per line

\$ 71.78

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 72.78

Width of single column 12.5 ems
 Number of insertions 2
 Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 23, 1994

Title: _____ Clerk

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time _____, the dates of publication being as follows:

3/16, 23/94

Subscribed and sworn to before me this 23rd day of March, 1994

Notary Public

NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

winter's chill.

Software producers plan merger

NEW YORK — Adobe Systems

Inc. and Aldus Corp., the country's two leading desktop-publishing software companies, yesterday announced an agreement to merge in a stock swap valued at about \$525 million. The deal is subject to

[illegible]

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

145 lines, 1 columns wide equals 145 equivalent lines
at .495 cents per line

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 71.78

1.00

\$ 72.78

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 23, 1994

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 3/16, 23/94, the dates of publication being as follows:

Subscribed and sworn to before me this 23rd day of March, 19 94.

MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

Notary Public

MY COMMISSION EXP JUNE 14, 1997

My commission expires:

h pino3 spo

embarrass the administration
has an issue with which to try to
of government's post last year, now
U.S. Republican Party lost the head

ra 3 wues

Clinton's

s over finances

But the opposition Liberal Democrats say they suspect the money was actually a donation that may have violated political financing laws. They are demanding more documents and sworn testimony by a former Hosokawa aide linked to the loan.

(Ordinance No. X-09-68) : thence easterly along the line any legal challenge to the ordinance in favor of the City.

Rebecca J. Ravine
COUNCIL MEMBER

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey, Ravine, Schmidt, Talarico

NAYS: None

ABSENT: None

ABSTAINED: None

DATED: 3-8-94

Sandra E. Kennedy
City Clerk